## CONGRESS.

The Proposed Amendment Regarding the Electoral Vote.

OPPOSITION OF SENATOR MORTON.

Why the Power Should Not be Given to the Supreme Court.

Intimidation of Government Employees in the North.

SENATE.

Washingrox, Dec. 11, 1876.

Mr. HAMLIN, (rep.) of Me., said he was absent from the Senate on Friday last when the vote was taken on sustaining the ruling of the Chair on the existence of the joint rules on account of a severe indisposition Had he been present he would have voted to sustain THE LOUISIANA DEMOCRATIC REPORT.

Mr. Bogy, (dem.) of Mo., said he desired to present,

for the purpose of having printed, the report of the five democrats who were invited by the Returning Board of Louisiana to be present at the canvass of votes given in that State in the late election. Mr. INGALLS, (rep.) of Kansas, moved that it be re-

ferred to the Committee on Printing.

Mr. Boov said the report presented by the other side

had been printed, and this paper should be printed now, that all the facts might go to the country. Mr. HAMLIN asked if the paper was presented to the

Mr. Booy replied that it was not. Neither was the report of the other side addressed to the Senate.

Mr. EDMUNDS-The other document was a message from the President of the United States. Mr. Bouy said it was the understanding when the

report of the other side was presented and ordered that the report of the democratic committee should also be printed when presented. Mr. EDMUNDS said it was a settled rule of the Senate

not to receive papers which were not intended to accompany something before the Senate or were not ad dressed to the Senate. To print this would be in violation of all the rules of the Senate. He had no objection to having the papers printed, provided it be done in a regular and proper manner. The Senator from Missouri (Mr. Bogy) could turn the paper into a petition and

Mr. Booy said he had no authority to change the torm of the paper. Mr. EDMUNDS-You can get authority within a few

of his speech, and thus have it printed.

Mr. Hamin said he had no objection to the printing

of the paper provided it be addressed to the Senate; but to order that it be printed in its present shape would be a violation of all the rules of the Senate.

Mr. Conkling, (rep.) of N. Y., said all agreed that this paper as presented was not within the rules of the Senate. Any citizen might address this petition to the Senate. The Senator from Missouri (Mr. Bogy) might address a memorial to the Senate making this paper a

address a memorial to the Senate making this paper a part of it, and it would then be proper to print it.

Mr. Strevenson, (dem.) of Ky., and Mr. McDonald, (dem.) of Ind., said they would join with the Senator from Missouri (Mr. Bogy in preparing a petition to be presented to the Senate, of which the report of the aemogratic committee presented by Mr. Bogy should be made a part. And it was determined that this course should be adopted.

Course should be adopted.

EXPENSES OF COMMITTEES.

Mr. WINDOM, (rep.) of Minn., from the Committee on Appropriations, reported the House bill appropriating \$21,000 to defray the expenses of certain special committees of that body appointed to investigate the recent election in South Carolina, Florida and Louisiana, with an amendment appropriating \$50,000 to defray the expenses of the Committee on Privileges and Elections in making the investigation in the receit election in South Carolina, Florida, Mississippi, Louisiana, Georgia and Alabama, ordered by the resolution of Mr. Edmunds.

Mr. Correct. bi Mr. Edmands.

Mr. Cockeell, (dem.) of Mo., inquired how much the House bill appropriated.

The Chair repined \$21,000.

Mr. Cockeell—\$21,000 for the three committees of the House and \$50,000 for the Committee on Privileges and Elections of the Senate.

Mr. Window said the Committee on Appropriations was guided entirely by the Committee on Privileges and Elections.

was guided entirely by the Committee on Privileges and and Elections.

Mr. Mogron said the Committee on Privileges and Elections had estimated that the investigation would cost \$50,000. Of course no more would be expended than was necessary. The amendment was agreed to and the bill passed.

BILLS AND RESOLUTIONS.

Mr. Mircuxit, (rep., of Oregon, from the Committee on Privileges and Elections, reported a substitute

tee on Privileges and Elections, reported a substitute for the resolution recently introduced by him directing the committee to inquire into the cligitality of Mr. Waits, the Oregon elector, and asked for its present consideration; but objection was made by Mr. Cooper, and it wentover.

Mr. Bayard, (dem.) Del., submitted a resolution directing the Attorney General to inform the Senate as to the number of deputy marshals employed throughout the United States in connection with the election held in November last, stating the number employed in each State and the period of time they were employed.

Mr. Edmunds, of Vermont, said he desired to offer an amendment to the resolution, and asked that it be

Mr. Edwinsos, of Vermont, said he desired to offer an amendment to the resolution, and asked that it be had over till to-morrow. So ordered.

Mr. Morrox, (rep.) of Ind., submitted a resolution providing that the various sub-committees on privileges and elections authorized to inquire into and report as to the late election in certain Southern States, under the resolution of Mr. Edmunds, shall be known as committees of the Senate, and that the chairmen have power to administer oaths. Agreed to.

Mr. Boutwall, (rep.) of Mass., said when the additional members of the Committee on Privileges and Elections were appointed it was the understinding that their duties would be discharged here in Washington. The committee now thought it to be necessary to send sub-committees to several States, and he now asked to be excused from further service on the committee. So ordered.

mittee. So ordered.
Mr. Shekhasa, (rep.) of Obio, presented the petition of General Jeseph E. Johnston asking the removal of his political dissolities. Referred to the Committee on the Judiciary.

The Senate then resumed consideration of the un-

of General Joseph E. Johnston asking the removal of his political disabilities. Referred to the Committee on the Jadiciary.

The Senate then resumed consideration of the unfinished business, being the Joint resolution of Mr. Edmunds proposing an amendment to the constitution of the United States so as to have the electoral vote for President and Vice President counted by the Supreme Centri, and the amendment proposed by the Committee on the Jadiciary providing that the electors shall vote evice occ. Instead of by ballot, was agreed to Mr. Morron opposed the clause providing that the Court is all, in the discharge of its duty, disregard errors of form and be governed by the substantial right of the matter. He argued that this clause would give to the Supreme Court a boundless jurisdiction. It would authorize that body to do almost anything, perhaps to go and count the votes in the State of Vermont. A State jurisdiction should not be conferred open any tribunal it was dangerous.

ARCUMENT OF NR. EDMUNDE.

Mr. EDMUNDS said the object of the clause was not to authorize the Court to do exactly what all courisd to in matters which they are called opon to settle, and that was to authorize the Court to do exactly what all courisd to in matters which they are called opon to settle, and that was to disregard forms and decide upon the substantial right of the matter. He then explained at length the provisions of the look to swap horses while crossing a stream. It was introduced by him in the Senate on the 22d of March last, almost a year ago, and reported favorabily by the Judiciary Committee, with amendments, on the 20th of March last, almost a year ago, and reported favorabily by the Judiciary Committee, with amendments, on the 20th of May following, before either of the Presidential candidates were nominated. He then referred to the presiding office as to the convention which framed the constitution, and said he had been mabble to flow a provision by law or no provision by any joint rule which the electoral vote in pre

ing the vote would be in a tribunal which had a single solid existence, and not a dual existence, as was protably the case with the Senate and House of Representatives. The Supreme Court was usually composed of an unequal number of persons, and some concussion must be reached by it.

He spoke of the danger to be feared owing to the prejudice, passion and anger which must exist in so inrge a body of men as compose the two houses of Congress, in deciding questions of this character, and argued that the power of counting the electoral vote should not be reposed in a political body. He favored vesting the power in the Supreme Court, because judges were not subject to the excitement which governs the majority of men; besides they were trained to a careful knowledge of constitutional law, and would bring to the consideration of the question minds well fitted for the performance of duty on account of their impartiality and great respect for government. Senators and Representatives, he said, were more of less partisain, and, be they as pure as human nature could be, they must be influenced in favor of this or that party to some extent. The Judiciary Committee thought the constitution should speak plainly on this subject, and speak to a tribunal which had existed since the adoption of the constitution itself. In referring to the last section of the proposed amendment, making it applicable to the present cantest if ratified in time, Mr. Edmunds said he did not share in what was said by parties who should not have made use of such expressions, that there was danger of civil convulsion by force. There would be no such trouble unless it was forced by men who care more for what they can make out of war than they do for the peace of their country. If the two houses of Congress could not agree in regard to the last election it did not follow that wise men and patriotic men would think they good sense of this nation, with its love for law, was going to allow any dispute as to which of the two men voted for last November should

batlot.
Second—The transfer of the count of the electoral

voic to the Supreme Court.

Third—Making a Supreme Court judge ineligible for the office of President or Vice President until the expiration of two years next after he shall have ceased

The Senate then, at a quarter of four o'clock, went into executive session, and when the doors were reopened adjourned. HOUSE OF REPRESENTATIVES. The SPEAKER announced the appointment of Mr.

Committee of Appropriations caused by Mr. Randail's

retiracy. This does not interfere with the chajrmanthe committee, which remains with Mr. Hol-

Under the call of States for the introduction of bills

the reading in full of bills introduced was required on the republican side of the flouse, so as to consume the

BILLS INTRODUCED. The following bills were introduced and referred:-

By Mr. Cox, (dem.) of N. Y .- To regulate the com pensation of letter carriers in cuties of over 100,000 in. habitants at \$800 for the first year, \$900 for the second

and \$1,000 for the third year and thereafter, making the compensation in cities of less than 100,000 inhabit.

ants not less than \$600, nor more than \$800, within

the discretion of the Postmaster General.

By Mr. Gloven, (dem.) of Mo.—For the protection of

States against domestic violence. It provides that the President shall employ the army and navy for such purpose only after the Legislature of a State

such purpose only after the Legislature of a State is horeebly resisted and is unable to overcome such resistance, or after the Governor has certified to him that rot, insurrection or overtacts of rebellion have occurred which such Governer has endeavored and is unable to suppress, and also that he has endeavored to convene the Legislature, and that such Legislature cannot be convened by reason of such domestic violence.

Mr. Banning, (dem.) of Ohio, asked unanimous consent to offer a resolution reciting the eulogium passed on J. Madison Weils, of the Louisiana Keturning floard, in the report of Senator Sherman and others to the President, and requesting the President to furnish from the War Department copies of all reports, orders, correspondence, &c., connected with the removal of Wells from the Governorship of Louisiana by General Shordan, in 1867.

Wells from the Governorship of Louisiana by General Sheridan in 1867.

Mr. Kasson, of lowa, objected.

Mr. Bannino moved to suspend the rules and adopt the resolution. Defeated—yeas 141, nays 51—not two-thirds in the affirmative.

Mr. McDougall, (rep.) of N. V., moved to suspend the rules and adopt a resolution for the appointment of committees to examine and report into election frauds as follows:—A committee of nine for New York, Brooklyn and Jersey City; a committee of five for Virginia, a committee of nine for Messissippi, a committee of five for Philadelphin, a committee of three for Alabama. Mr Cox, of New York, Funnical Mr Cox, of New York, remarked that there was no allegation of election frauds in New York.

Mr. Willis, (dem.) of N. Y.—We invite an investigation there.

Mr. Wood, (dem.) of N. Y.—Can any gentleman offer a resolution which would, in its effect, leave the flours without

Mr. Wood, (dem.) of N. Y.—Can any gentleman ofter a recolution which would, in its effect, leave the House without a querum?

The Spraker—That is for the House to determine. The motion to suspend the rules and adopt the resolution was defeated by a vote of 124 yeas to 88 yeas (not the necessary two-thirfs). Some lity-two democrats voted for the motion.

Mr. Cox, of New York, then offered a resolution for the appointment of a committee of five to proceed to the enties of New York, Philadelphia, Brocklyn and Jersey City to examine into any alleged fraudulent regularation and fraudulent voting at the late election. Adopted without a division.

Mr. Goode, idem.) of Va., offered a resolution instructing the Judiciary Committee to inquire and report on the legality of the circular letter issued by the Attorney General during the late Presidential campaign to United States marshais in relation to their powers and duties in such election.

Mr. Spricer, idem.) of La., moved to suspend the rules and adopt a resolution instructing the Judiciary Committee to inquire what intimidation has been practised on government employés to contribute to the election to compel such employés to contribute to the election fund of any political party, and what legislation is needed to abate the evil. Defeated—Yeas 134, nays 74—not two-thirds.

The House then, at a quarter past three, adjourned, the democrats remaining in the ball to hold a caucus.

man, of Indiana.

Report of the Democratic Visitors from the North,

THE LOUISIANA ELECTION.

CHARACTER OF THE RETURNING

No Authority Under the Law to Canvass the Electoral Vote.

Arbitrary, Unreasoning and Illegal Action.

mittee from the North who visited New Orleans to witness the canvassing of the votes by the Louisiana

witness the canvassing of the votes by the Louisiana Returning Board:

The Returning Board of Louisiana, having this day promulated as the result of the recent election in that State that the Haves and Wheeler candidates for electors received a majority of the votes, we, who, by invitation, watched the proceedings of the Board in opening and canvassing the returns till it went into secret session, deem it our duty to lay before you and the public such facts connected with the election and the returns as will, we think, clearly show that the action of the Hayes electors is arbitrary, unfair and without warrant of law, and we adopt as applicable to this canvass the lauguage of a report made to the United States House of Representatives in 1875, by George F. Hoar, W. A. Wheeler and William P. Fry in regard to the canvass unde by the Returning Board in the interest of Kellogy seems to us to hate no validity, and is entitled to no respect whitever." We also adopt the language of this same report upon the condition of Louisiana in 1875;.—'In the State of Louisiana in 1875;.—'In the State of Louisiana there is a Governor in office who ower, which has recognized his title to his office, not by reason of any ascertament of the facts by legal process, but has based its action solely on the illegal order of a judge.

"In the same State there is a Legislature, one branch of which derives its authority partly from the same rows its title, not from any legal ascertainment of the same being organized by a majority who have been established in power by another interference of the national government, and which majority derives its title, not from any legal ascertainment of the facts, but from the certificates of a returning board which has misconceived and exceeded its legal authority."

PROTEST AGAINST JURISDICTION.

PROTEST AGAINST JURISDICTION.

November 18, 1876, before the Returning Board commenced the canvass of the electoral vote, the candidates for electors on the democratic threat presented a protest against its jurisdiction over the subject or its canvass of the votes relating to the same. This protest was summarily overruled by the Board, without affording an opportunity for argument. Notegal proposition, in our opinion, is clearer than that the Board was mistaken as to its powers, and that it had nothing whatever to do with the electoral vote.

THE LOUISIANA ELECTION LAW. [The report here reviews the question as to whether the Louisiana Election law of 1870 was repealed by the existing law of 1872, arguing that if so repealed the law of 1872 gives no power to the Returning Board to canvass the electoral vote, and if not so repealed then the provisions of the law of 1870 are still in force and

the authority to canvass vests in others than the Re-

The office of President of Vice President until the expiration of two years next after he shall have ceased to be such justice.

The proposition left the Electoral College standing with all its abuses. The people of the United States were opposed to that institution, as it was full of danger and trouble, some of which was at the very doors of Congress to-day. This Electoral College was the rock in the channel upon which the country was more likely to split than any other.

Mr. Monros then quoted at length from a report which he made to the Senate two years ago from the Committee on Privileges and Elections to show that he opposed the Electoral College then, and said he dinot believe that the people of this country would ratify this proposed amendment with the Electoral College provision standing. He also objected to the proposed amendment because it re-enacted the provision authorizing the election of a President by the House of Representatives. This provision he regarded as one of the most dangerous in the constitution. It gave to Novada with her 42,000 people the same voice in the election of a President that New York had with 114 times as many inhabitants. Suppose, said he, the election of a President for the ensuing four years should be thrown into the House of Representatives. A President would be ciceted by men who were elected two years ago; and many of them did not represent the will of the people now, as they had not been returned to Congress. This clause authorizing the House to elect was the last clause put in the constitution, and it was put there without deliberation; without debate. The country-came near heing shipwrecked in 1801. The arts resorted to for the purpose of ortiging about election by the House that year would utterly dama any public man of this day. He argued he favor of having the President and Vice President dected by a direct vote of the people, and had read the constitutional amendment proposed by the Committee on Privinges and Elections to that effect two years ago.

Mr. Edwinson

the authority to canvass vests in others than the Returning Board.]

Other objections were made to the jurisdiction of the Returning Board; that it was anti-republican; that it was in conflict with the constitution of the State, in that it undertook to exercise judicial functions, and in that, with only four members, it was not legally constituted.

The election law declares that five persons, to be elected by the Senate from all political parties, shall be the returning officers for all elections in the State, a majority of whom shall constitute a quorom and have power to make the returns of all elections. In case of any vacancy by death, resignation or otherwise, by either of the Board, then the vacancy shall be filled by the residue of the Board of Returning Officers.

The present Board-constats of only four members, to wit:—J. Madison Wells, T. C. Anderson, G. Casanave and Louis M. Kenner, one of whom, T. C. Anderson, was a candidate for the State Senate at the recent election on the republican party. They are the same persons who constituted the Returning Board in 1874, and canvassed the election returns of them year, and of whom a committee of the House of Representatives of the United States, composed of Messrs. Hoar, Wheeler, Fry, Foster, Pheips. Marshall and Potter, after careful investigation of its action, said:—"We are constrained to declare that the extend of the Returning Board, on the whole, was architrary, unjust and, in our opinion, illegal."

The vacancy in the Board, occasioned by the resignation of Oscar Arroyo, in December, 1874, has never

The vacancy in the Board, occasioned by the resig-nation of Oscar Arroyo, in December, 1874, has never been filled, although repeated applications by the rep-resentatives of the democratic-conservative party of the State and its candidates have been made to the

It this view be correct the Board is not so constituted as to have authority to act at all.

The entire cierical force appointed by the Board at its present session to compile the voice cast is also republican, and the Board refused an application to appoint any cierk or to allow any person of the opposite party to be present to witness the compilation, and even excluded the United States Supervisors of Election under the act of Congress.

The Board then recites the law of Louisiana in refer-

ence to elections and continues;-

The Board then recites the law of Louisiana in reference to elections and continues:—

Powers of the Board.

Under section 2 of the foregoing provisions it will be seen that the outy of the Board of Returning Officers is similar to that of State canvassing boards in most of the other states of the Union—simply "to canvass and compile the statements of the commissioners of election" and proclaim the result: and this is the whole duty of the Returning Board, unless the commissioners of election or the supervisor of some parish imposes upon it a further duty as provided in sections 26 and 43. In commenting upon the powers of the Returning Board we avail ourselves of the able argument of Judge Spotford made before it.

No one has the right to attack the returns from any poll, ward or parish in the State on account of undus influence, intimidation or other nots of violence, unless the foundation therefor be first laid by the statement of the Commissioners of Election at the particular poll, if the acts securred on election day, or of the Supervisor of Registration of the parish, if they occurred during registration, as provided, in accitons 26 and 3. The Board has no legal authority to receive or give effect to statements of outside partices till the proper Commissioners of Election and supervisor have spoken. Nor has the Board been invested with the power to Institute complain a against any poll, ex officio or of its sown motion. It cannot but out or fail to count a somery vote returned, unless a legal foundation has been laid for inquiry by the supervisor of the parish where the vote was cast, or by one of the Commissioners of Election reporting through such supervisor; and even they—the supervisor and commissioner—can only lay a foundation for inquiry in the Board, by making and forwarding in the very form set forth by section 26 of the act in question. Challenging the votes of whole cities and parishes, by unofficial persons, even though they are candidates, is a startific and awless innovation.

in question. Challenging the votes of whole cities and parishes, by unofficial persons, even though they are candidates, is a startifue and lawless innovation.

OUTSIDE PROFESTS.

No outside protest can be entertained; because even alsupervisor's "statement" can receive no consideration by the Board, but must be wholly dispegated, unless made at a time and in a manner, which no outside party could possibly comply with. His "statement" for that of his subordinate commissioner) must form an integral part of his return and official report; it cannot be made up at a different time and place from the return, to which the law requires it to be attached "by paste, wax or some other adhesive substance," and a duplicate thereto must be ledged by him with the clerk of the court of his parish; it must be made under oath; it must be a clear and full statement of all the facts and of the effect produced thereby.

Such a statement, so annexed, and sent by mall is the only kind of statement the board can notice at all so as to institute an inquiry into intimidation, &c. The intent of the law is plain and indisputable that all the supervisors should be engaged simultaneously, in their several parishes, in completing their returns and statements on the spot where the election was held, without communication with each other or with persons beyond the parish, and before they can obtain information of what has been done in other parishes or of the general result.

REASONS FOR THE LAW.

And the reason for these minute, mandatory and imperative provisions is equally obvious. It was precisely to shut out from consideration by the Returning Board all such expending the returns a law to the supervisors who have up and illegally thrust in here at the last moment by Mr. Keliogg, Mr. Packard. Mr. Brewster, and even by some of the supervisors the subservisors who have not annoved them to their returns, scaled and sent them to many the order of the proper parish; they have not annoved them to their returns, scaled and sent them to many the

time required by law.

It is appoining to think that statements thus made contrary to law, after the result of the election through the State was known with appreximate accuracy, made as an after thought by disappointed candidates and their friends, with an evident view to cast a drag net of suspicion over parishes enough to reverse the em-

phalic verdict of the people, made, too, at so late a day and so great a distance from many of the parishes struck at, that it is impossible to have any fair investigation, should receive consideration.

We regard it as indisjutable that the Returning Board has no jurisdiction to inquire into and reject the returns from any voting place in the State on account of intimidation, acts of violence, or other cause mentioned in the statue, unless the foundation for such inquiry and rejection is laid at the time and in the manner provided by the statute.

DUTY OF SUPERVISORS.

In no case did the Supervisor of Registration deliver to the clerk of the court of his parish, as required by section 25, a duplicate statement made and sworn to by the Commissioners of Election, and corroborated by three citizens, of any riot, tunuls, acts of violence, intimation and disturbance, bribery or corrupt influences, and of the facts relating thereto, occurring on the day of election, nor any like statement of his own that any such acts occured during the time of registration or the rovision of registration. When the returns were opened by the Returning Board such statements were found among the papers in a few instances, but not in relation to the parishes of either Ouachita, Morehouse, East Baton Rouge, East or West Feliciana; and such were the manifest efforts on the part of the officers of election to conceal their acts and confuse and mislead persons interested in a proper investigation of the facts relating to the election, that it was impossible to determine whether any such statements had been made by the Commissioners of Election or the Supervisor of Registration, and attached to the returns of the appears in any parish in the State at the time and in the manner required by sections 25 and 43.

This fact leaves the Returning Board without jurisdiction to inquire into acts of violence, &c., at the election or during registration, and with no other duty to perfirm except to canvass and compile the votes returned, as the returni

traordinary conclusion to declare that the Hayes electors have a majority, it is proper to look further into its action.

ACTION OF THE BOARD.

The first meeting of the Board attended by us was held November 20, at which an application in behalf of the candidates on the democratic-conservative ticket that all the proceedings of the Board should be public, and that interested candidates should have leave to be present, by themselves or counsel, at the opening of the returns, with the right to inspect the same, was refused, and certain rules were adopted, against several of which protests were filed, and particularly against rule 9, which declared that:—

"9. No ex parts affidavits or statements shall be received in evidence except as a basis to show that such fraud, intuindation or other filegal practice had at some poil requires investigation; but the returns and affidavits authorized by law made by officers of election, or in vertication of statements as required by law, shall be received in evidence as prima facia."

Under this rule several hundrel exparts affidavits were prepared and sworn to in New Orleans, charging intimidation and other rilegal acts in distant parishes, were then put into the envelopes enclosing the supervisor's consolidated returns, which had been brought to the city of New Orleans and kept open for the purpose. This was done to support statements of intimidation or other acts of violence.

In Executive Session.

The proceedings of the Board in executive session, to which we were admitted, consisted in opening the returns from each parish and examining the votes for Presidential electors. If no protest or objection appears among the papers, and there was no outside protest from any one, the returns were sent to a private room to be tabulated by the clerks, all of whom were republicans, who kept their action secret. If any protest was isound among the papers, or from outside parties, the returns were laid aside, to be afterward considered by the Board in secrot. In the few cases in which

didnes or their attorneys were permitted to take copies of the charges, and testimony taken on written interrogatories was submitted in regard to such parishes.

December 2, after all the returns had been opened, the Board wont into secret session, and we were not permitted to see the compilation of returns already made, nor to know what rules the Board adopted in passing upon contexted cases, nor the processes by which it arrived at results.

THE RETURNS.

We have been furnished a triplicate, or a certified copy of the duplicate statement of the Commissioners of Election at each voting place in the State, from which has been compiled a consolidated statement of the entire vote of the State for Presidential electors. From this statement, which we believe to be accurate, the majority for the highest Hiden elector over the lowest I iden elector over the highest Hiden elector is 6,300. The returns in our possession correspond precisely in most cases with those opened by the Return ing Board. The difference in the aggregate arises mainly from the fact that the Board old not have all the returns before it. The supervisors, all of whom were republicans, many of them employes in the Custom House in New Oricans, some non-residents of the State, and one of them under indictment for murder, withheld the statements of the Commissioners of Election in some instances where democratic majorities were given amounting in the aggregate to about 1,500 votes. The Returning Board refused to receive certified copies of the duplicates of these missing returns field in the offices of the Secretary of State and the clerks of the district courts, or to take any effective measures to procure the originals.

The Returning Board, in proclaiming the result of the vote for electors, makes no statement of the votes cast in the several parishes, but simply announces the aggregate vote for each elector in the State, giving the Hayes electors majorities varying from 4,626 to 4,712.

How it was bone.

To accomplish which they distranchised 13,350 democratic and 2,042 republican voters. This announcement is made in the lace of the fact that the statements made by the Commissioners of Election showed a majority ranging from 6,300 to 5,937 for the Tilden electors. No attempt is made to give a reason for this arbitrary action of the Board, nor is there any statement to show what votes were counted and what rejected. As well might the officers canvassing the returns of the election for Presidential electors in those States elected, in the face of the fact that the returns showed a majority for the Hayes electors. We have shown that it is questionable whether the Legislature of Louisian has made provision for the appointment of electors at all; that if it has made such provision it has not vested the Returning Board with authority to canvass the returns of the votes cast for such officers; and that if it were possible to construct the statute as conferring such authority on the Returning Board, then the same statute limits the authority of the statements of votes made by the Commissioners of Election," without authority to reject any on account of intimidation or other acts of violence unless the foundation therefor be first laid as provided in the statute; that the evidence does not disclose that such loundation was laid in any instance. There is, however, evidence of attempts surreptitiously to lay such ioundation after the consolidated returns were completed, and that the Supervisors of Election in many instances unlawfully withheld their returns for the purpose, and interpolated among them exparts affidavits, taken in secret in New Orleans, before a United States Commissioner, which the Board has no jurisdiction to consider.

Many of such cases were brought to the notice of the Board has no jurisdiction to consider.

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Another as

interests, like their own, where identified with the State.

It is certain that thousands of colored person voluntarily and actively supported the democratic ticket. The entire vote of the State, at the recent election, is about 15,000 greater than ever before; and even in the parishes where intimidation is charged, it exceeds, in the aggregate, any previous vote. The Congressional Committee, which, it is understood, will soon visit the State armed with authority to send for persons and papers, and inquire into all the facts connected with the recent election and the action of the Returning Board, will have greater facilities for arriving at the truth than we possess; but with the law and such facts before us as have been disclosed by the action of the Returning Board, we do not hesitate to declare that its proceedings as witnessed by us were partial and unfair, and that the result it has announced is arbitrary, illegal and entitled to no respect whatever.

Fifteen years ago, when Fort Suniter was fired upon by men who sought a disruption of the Union, a milhon patriots, without regard to party affination, sprang to its defence. Whil the same particular citizens now sit adily by and see representative government overthrown by usurpation and fraud? Shall the will of 30,000,000 of people, constitutionally expressed, be thwarted by the corrupt, arbitrary and illegal action of an illegally constituted Returning Board in Louislana, whose wrongful action herefolder, in all respects similar to its present action, has been condemned by all parties. It is an admitted fact that Mr. Tilden received a majority of 250,000 of the votes at the recent election. This majority is ready and willing to submit to the rule of the minority, when constitutionally entitled to demand such submission; out as it willing that by an arbitrary and false declaration of votes in Louislana is the minority shall usurp power? These are dark days for the American people when such questions are forced upon their consideration. If it were frue, as s

SECRETARY MORRILL CRITICISED.

Opinions on the Secretary's Views Relating to Resumption.

SILVER AS A CURRENCY.

What Leading Bankers and Financiers Have To Say.

How Much Gold Is Needed Before Resuming Specie Payments.

been very closely scrutinized in both financial and commercial circles and necessarily been the subject of very varied criticism. The public interest mainly centred in the remarks bearing upon the resumption critics praise Secretary Morrill for an anxiety to carry out the act of 1875, they do not agree with him on the amount of gold that should be in the Treasury in order to redeem the greenbacks. Many claim that such is the confidence of the people in the stability of the government that a legal tender note issued on a gold basis would be accepted, and that in a few months there would be more gold in the Treasury ther has ever been. They claim that there is no more favorable time for resumption than the present, when we find at the close of the year that the exports have exceeded the imports by over very varied, and although some think that silver is entirely unnecessary and the greenback currency by of the restoration of what is known as the double standard. The report on the national banks is favorably spoken of, but there is an immense outery from the managers of these institutions against the present system of taxation in this city, where they are taxed on both their capital and surplus.

OPINIONS OF FINANCIERS AND BANKERS. A HERALD reporter called upon Mr. O. D. Ashley, of No. 52 William street, and the following conversation

retary Morrill's report in regard to resumption of

message, and no is evidently impressed with the neces-sity of the Legal Tender act. When he comes to the execution of the Resumption bill he seems to be doubtful as to the amount of coin it will be necessary to have in the Treasury. He assumes the possibility of contracting the greenbacks to \$300,000,600. He seems to doubt whether that would be sufficient. in my opinion he is too apprehensive about the amount o gold necessary for resumption. He seems to be fear-ful that in the lapse of time between this and 1879 there might be a greater demand for coin than there is at present. In my opinion his fears will be sufficient to meet the emergency. I think that the actual result of his preparations to resumption in 1879 will make the legal tenders what may be fundamental currency that will be held in reserve In damental currency that will be held in reserve. The national banks and trust companies probably held to-day at least \$150,000,000 of the legal tenders, and masmuch as the national bank bills are redeemable in legal tenders those banks will naturally increase the amount of their reserves. If this is the case it would probably leave not more than \$150,000,000 in general circulation. I hold, therefore, that the confidence of the people in the ability of the government to redeem these notes will prevent the presentation of any considerable amount of them for redemption in com, and therefore I believe that \$100,000,000 of coin in the Treasury would be an ample reserve to meet any demand likely to occur. It seems to me, however, that it will be necessary to preserve the legal tender feature of the note so long as it remains in circulation, and to this there can be no valid objection if it is redeemable in coin on presentation.

THE NECESSARY COIN.

The people will know that besides this stock of \$100,000,000 of coin in the Treasury the whole credit and resources of the government are placed at the disposal of the Secretary to maintain resumption, and my impression is that if the people have faith enough in the strength, stability and resources of the country they will have faith in the practicability of redemption, and therefore will not require it. No one will call for specie for a legal tender note unless he needs it for export of lacks confidence in the ability of the government to redeem its promise. Therefore I think the Secretary overestimates the obstacles to resumption.

Reporter—What are your views on the silver ques-The national banks and trust companies probably hold

think the Secretary overestimates the obstacles to resumption.

REPORTER—What are your views on the silver question?

Mr. Ashlext—There are substantial reasons in favor of using silver as a legal tender in limited amounts, and for sums of \$20 and less it might under some circumstances be quite advantageous. The necessity of using silver coin for change seems indispensable, and the extension of the legal tender quality to sums of \$20 will insure a good supply of the metal, not only for change but for export to countries where silver is the only measure of value, while the new functions given to other coin could not interfere with the principal standard. It is well known that runs upon banking institutions generally commence with the holders of small sums in notes, and if the extension of the legal tender quality to sums of \$20 tinfluences the circulation of silver to a much larger amount than heretolore, the effect would be to allay unreasonable lears and to mitigate money crises, by preventing to that extent sudden demands for the redemption of notes. It would, in fact, increase the specie supply without materially interfering with the standard. To this extent the double standard may be safely adopted.

The Heralin reporter then paid a visit to Mr. John Thompson, President of the First National Bank, and received the following information:—

Reporter—Mr.—Mr. Thompson, what do you think of Secretary Morrill's views on resumption?

President Thompson, what do you think of Secretary Morrill's views on resumption?

President Thompson, what do you think of Secretary Morrill exhibits a commendable anxiety to resume, his ideas of preparing to resume are so at variance with my practical observation and experience that I can but criticise them severely. He evidently is impressed with the necessity of either contracting the currency disassituates the hoarding in bank vault of over \$100,000,000 of gold where legal tender green backs would be just as good. The legal tender status of greenbacks should be left as it now is u

and that contraction worked out by giving out interest bonds for currency, will carry our present depression in trade and in values much below what we are now experiencing.

Onlykers to hoarding gold.

To resume specie payment by buying up gold and hoarding it for use at any inture given day will also work out disastrously. It will be sufficient time to they gold when we find that the people want it in exchange for greenbacks after the greenbacks are put upon a gold basis. It the Secretary of the Treasury should prodisim that on the 1st day of January next he will give out gold for greenbacks at par, I have no idea that five militons of gold would be required, and if at the same time he should prodisim that he would receive gold in exchange for greenbacks at par we believe that his gold to hand would be augmented ten militons during the month of January. I put this in the above language in order to fully illustrate my views on resumption of specie payment. My observations during the last fifty years of panies and bank suspensions have invariably been that in time of suspensions have invariably been that in time of suspensions everybody wanted gold or silver, but in times of resumption everybody preferred paper to gold.

I will mention an anecdote which occurred in 1857. A stockholder and a depositor in the old Mechanics' Bank of this city came to me and said:—"Here, Mr. Thompson, my bank has announced with the other banks that they will resume next week; now, how can they resume? They wwe \$3,000,000 of deposits and \$750,000 of creuistion, making \$3,750,000 that they will have to pay when they resume, and they have not gold you will take it in too. Come and see mo ogam in about ten days after your bank has resumed and we will see how it gets along. My friend was very much astonished to ma, after his bank had resumed, that gold kept increasing and growing larger and its currency went on increasing at the same time, and such was emphatically the case when the government resumes, if it will adopt the common sense m

REPORTER—What do you think of silver as a cur-

President Thompson—I think Secretary Morrill sound on the siver question. It would be decidedly revolutionary to make the standard of silver by introducing what is called a double standard; the newitable result will be a single standard, and that will be sliver, throwing us into the condition that we were prior to

1834, when silver was the only money that we could draw from the bank on a demand obligation, and at the same time there is a good reason why we should be permitted to use the product of our own country it making a currency for our own people. We are and shall continue to be the greatest silver producing country, and while our silver product is very rapidly increasing our gold product is rapidly decreasing.

NR. W. A. CAMP.

The next visit paid by the Herrald reporter was to Mr. W. A. Camp, manager of the Clearing House. The subloined cenversation took place.

REPORTRE—I have called, Mr. Camp, to obtain your views on resumption, silver as a currency and the national banks.

Mr. Camr—I have no opinions I care to express on

views on resumption, silver as a currency and the national banks.

Mr. Camr—I have no opinions I care to express on the first two questions, but in regard to the national banks I can say a good deal. The taxation on the national banks in this city is so chormous that unless it is soon remedied some of them will cave to stop business. They have to pay government, State and municipal taxes and are taxed upon their capital and surplus. For instance, if a bank has \$6,060.000 capital and twenty-five per cent surplus, it is taxed upon \$6,250,000. A country bank in the same condition would only be taxed upon about fifty per cent of its capital stock. It is hoped there will be some legislation on the matter, as many banks are now taking up some of their capital stock in order to avoid the heavy taxation.

PRESIDENT P. C. CALHOUS.

bome of their capital stock in other to what heavy taxation.

The Herald reporter then called upon Mr. P. C. Calhoun, President of the Fourth National Bank, and held a short conversation with him.

Reporter—What do you think of Secretary Morrill's views of specie payment?

President Calhoux—I cannot see the way to specie payments gain the exports are very largely in excess of the imports. We have exported this year \$1.000,000 more than we have imported. If we continue on the increase specie payment will resume of itself.

Reporter—How do you like his views on the silver question?

REPORTER—How do you like his views on the silver question?

President Calhoun—I think silver as a currency is a humbug and only benedits the holders of stock in the Bonanza mines. The people were perfectly satisfied with the greenback currency, which was more convenient and compact.

REPORTER—Did you read the report on the national banks?

President Calhoun—I see nothing especial to find fault with. What the national banks require is a reduction of taxation. We latend to call in \$2,000,000 of our stock, as we cannot afford to pay the taxes on it.

TESTING THE EXCISE LAW.

HOLLENDER'S CASE AGAINST THE EXCISE COM-MISSIONERS DISMISSED-JUDGE MORGAN'S DE-

Judge Morgan, at the Tombs Police Court, yester my repdered his decision in the case of George W. Hollender, proprietor of a barroom and restaurant, against Owen Murphy, Jacob M. Patterson and George W. Norton, Excise Commissioners, for having, on September 12 of this year, illegally granted him a license to sell ardent spirits in quantities tess than five gallons. It was claimed by the prosecution that the statutes prohibited the sale of strong and spirituous liquors by other than hotel, inn or tavern keepers in quantities less than five gallons, and that Hollender not being in any of the prescribed categories the Commissioners had select without authority of law and were suilty of s misdemeanor. The case was argued by A. Oakey Hall

## "WORDSWORTH."

ME, JAMES T. FIELDS' THIRD LECTURE AT CHICKERING HALL. The third lecture in the course given by Mr. James

Fields, of Boston, was delivered by that gentleman in Chickering Hall, Fifth avenue and Eighteenth street, last evening. The Hall was well filled with an attentive audience. The subject was "William Wordsworth," and it was treated with the powerful ele-quence for which Mr. Fields is celebrated. The speaker opened his theme by calling attention to the exalted place Wordsworth occupied in English literature. His poetry had led the way to brighter

speaker opened his theme by calling attention to coalide place Wordsworth occupied in English literature. His poetry had led the way to brighter worlds. Unlike some poets, his writings never needed an explanation. The inmost thought of Wordsworth stood in the sanlight clearly revealed, giving a nobler impulse to the roader and lifting him above the sordid things of earth into the purer realing of spiritual thought. No poet had ever taught mankind purer lessons than had Wordsworth. Every woman should love and revers his memory, for no bard had sung their joys and sorrows with such tenderness and paid sweeter tribute to their virtues. His books were consecrated to the study and the relief of suffering. With him poetry was existence.

The speaker narrated an amusing instance of an American traveller who, visiting England, desired to pay his respects to the great bard. Seeing a woman by the roadside he inquired the way to his residence, when she replied that she could not inform him—she did not know where he did live. "Not know?" said the traveller, astonished; "you must know. It is not possible that you don't know where this great rhymer lives," "Oh! I see now," answered the woman; "you mean that foolish looking old gentleman that goes about mumbing to himself, but law! sir, when you get to speak to him he is just as seasible as you or I!" The lecturer thought that Wordsworth, more than any writer of his time, had raised the moral character of the English nation. He was a man of sound belief, and had stamped an influence on his age which could never be blotted out. And yet, although the writer of noble things, he had been persecuted in his earlier days by critics until weaker minds would have infled him into greater confidence in his ability. They could not separate him fro a exalted thought.

The iecturer rather briefly described the poet's home among the hills and his everyday life at Rydal. The utmost simplicity markee his life, which in his early yours was meagre enough. His good genus was always his sister Do

THE OLD SLIP BURGLARY.

ARREST OF THE MEN WHO HAD A WEARNESS FOR VANILLA BEANS. Detectives Adams and Thompson, of the Central

Detectives Adams and Thompson, of the Central Office, yesterday entered the saioon at No. 61 Chrystie street, kept by James Johnson, allas "Jersey Jimmy," and there arrested William Henry, of No. 180 Hester street; Thomas Furguson, of No. 180 Hester street; Thomas Furguson, of No. 180 Hester street, and James Figna, of Rivington and Forsyth streets. The prisoner Figna is really James Fogarty, the notorious burglar. The enarge against the prisoners was that on last Monday they opened the frost door of the premises of Gomez, Riondo & Co., at No. 9 Old sip, and stoles hine cases vanilla beans, valued at \$6,000, gold. On being arraigued before Justice Bixby Forgason, Henry and Flynn were remanded for further examination.